

GENERAL ORDERS, }  
No. 233. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, July 19, 1864.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION

*To suspend writ of habeas corpus, and establishing martial law in  
Kentucky.*

WHEREAS, by a proclamation which was issued on the 15th day of April, 1861, the President of the United States announced and declared that the laws of the United States had been, for some time past, and then were, opposed, and the execution thereof obstructed, in certain States therein mentioned, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals by law;

And whereas, immediately after the issuing of the said proclamation, the land and naval forces of the United States were put into activity to suppress the said insurrection and rebellion;

And whereas the Congress of the United States, by an act approved on the 3d day of March, 1863, did enact that during the said rebellion the President of the United States, whenever in his judgment the public safety may require it, is authorized to suspend the privilege of the writ of *habeas corpus* in any case throughout the United States, or in any part thereof;

And whereas the said insurrection and rebellion still continues, endangering the existence of the Constitution and Government of the United States;

And whereas the military forces of the United States are now actively engaged in suppressing the said insurrection and rebellion in various parts of the States where the said rebellion has been successful in obstructing the laws and public authorities, especially in the States of Virginia and Georgia;

And whereas, on the fifteenth day of September last, the President of the United States duly issued his proclamation, wherein he declared that the privilege of the writ of *habeas corpus* should be suspended

throughout the United States in the cases where, by the authority of the President of the United States, military, naval, and civil officers of the United States, or any of them, hold persons under their command or in their custody, either as prisoners of war, spies, or aiders or abettors of the enemy, or officers, soldiers, or seamen, enrolled or drafted or mustered or enlisted in, or belonging to, the land or naval forces of the United States, or as deserters therefrom, or otherwise amenable to military law, or the Rules and Articles of War, or the rules or regulations prescribed for the military or naval service, by authority of the President of the United States, or for resisting a draft, or for any other offense against the military or naval service;

And whereas many citizens of the State of Kentucky have joined the forces of the insurgents, and such insurgents have, on several occasions entered the said State of Kentucky in large force, and, not without aid and comfort furnished by disaffected and disloyal citizens of the United States residing therein, have not only disturbed the public peace, but have overborne the civil authorities and made flagrant civil war, destroying property and life in various parts of that State;

And whereas it has been made known to the President of the United States by the officers commanding the national armies, that combinations have been formed in the said State of Kentucky with a purpose of inciting rebel forces to renew the said operations of civil war within the said State, and thereby to embarrass the United States armies now operating in the said States of Virginia and Georgia, and even to endanger their safety:

Now, therefore, I, ABRAHAM LINCOLN, President of the United States, by virtue of the authority vested in me by the Constitution and laws, do hereby declare that, in my judgment, the public safety especially requires that the suspension of the privilege of the writ of *habeas corpus*, so proclaimed in the said proclamation of the 15th of September, 1863, be made effectual and be duly enforced in and throughout the said State of Kentucky, and that martial law be, for the present, established therein. I do, therefore, hereby require of the military officers in the said State that the privileges of the writ of *habeas corpus* be effectually suspended within the said State according to the aforesaid proclamation, and that martial law be established therein, to take effect from the date of this proclamation; the said suspension and establishment of martial law to continue until this proclamation shall be revoked or modified, but not beyond the period when the said rebellion

shall have been suppressed or comes to an end. And I do hereby require and command, as well all military officers as all civil officers and authorities existing or found within the said State of Kentucky, to take notice of this proclamation and to give full effect to the same.

The martial law herein proclaimed, and the things in that respect herein ordered, will not be deemed or taken to interfere with the holding of lawful elections or with the proceedings of the constitutional legislature of Kentucky, or with the administration of justice in the courts of law existing therein between citizens of the United States in suits or proceedings which do not affect the military operations or the constituted authorities of the government of the United States.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed. Done at the city of  
 [L. S.] Washington, this fifth day of July, in the year of our Lord one thousand eight hundred and sixty-four, and of the independence of the United States the eighty-ninth.

ABRAHAM LINCOLN.

By the President :

WILLIAM H. SEWARD,  
*Secretary of State.*

BY ORDER OF THE SECRETARY OF WAR :

E. D. TOWNSEND,  
*Assistant Adjutant General.*

OFFICIAL :

*Assistant Adjutant General.*

